

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: CATHODE RAY TUBE (CRT))	MDL No. 1917
ANTITRUST LITIGATION)	
)	Master File No.
)	CV-07-5944-SC
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This Order Relates To:)	ORDER ON THE STATE OF
ALL ACTIONS)	CALIFORNIA'S MOTION FOR
)	PERMISSIVE INTERVENTION AND
)	TO RESTORE PUBLIC ACCESS TO
)	<u>107 COURT RECORDS</u>
)	

Now before the Court is the subject motion, filed by the State of California ex rel. Kamala D. Harris, Attorney General of the State of California ("the State"), ECF No. 3972 ("Mot."). The motion is fully briefed¹ and is appropriate for resolution without oral argument pursuant to Civil Local Rule 7-1(b).

The State makes arguments why it should be permitted to intervene for the limited purpose of restoring public access to certain records sealed by the Court. In sealing said records, the Court stated that it "will look favorably upon motions to intervene filed by members of the public who wish to access the sealed documents." Order of the Court dated December 27, 2012, ECF No. 1512. In the very next sentence of that same order, the Court clarified that "[i]f such motions are filed, the Court will not

¹ See ECF Nos. 4022 ("Opp'n"), 4034 ("Reply").

hesitate to appoint a Special Master to review the documents to be unsealed, whose fee shall be paid directly by the party seeking to preserve confidentiality." Id. The Court has since reiterated its favorable viewpoint multiple times. See ECF Nos. 3498, 3626, 3795.

Nonetheless, now that one such long-since-contemplated motion has been filed, certain parties ask the Court to hesitate in appointing a Special Master. See Opp'n. The Court has reviewed the motions and "is not inclined to deny the Motion to Unseal." Opp'n at 9. However, rather than rule on the issues in this motion, the Court is willing to accede to the requests by parties and refer the balance of this motion to a Special Master. See id. at 9-10; see also Reply at 8; ECF No. 3972-3.

Therefore, the Court grants the State preliminary permission to intervene in the underlying action for the very limited and collateral purpose of seeking the unsealing of 107 certain records previously sealed by the Court. Both parties expressly request Special Master Vaughn R. Walker. Accordingly, the Court sends the motion filed by the State to Special Master Walker to review and make an independent recommendation whether permission to intervene is proper, and, if so, which (if any) of the related 107 Court records ought to be unsealed. Should the Special Master find in favor of the State, his fees shall be paid directly by the party or parties seeking to preserve confidentiality. Otherwise, the Special Master may allocate his fees as he deems appropriate.

IT IS SO ORDERED.

Dated: September 17, 2015



UNITED STATES DISTRICT JUDGE